

Exhibit 7

Linda Fairstein

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1	at two precincts.	15:45:53
2	Q. Others were concerned about what	15:45:56
3	else?	15:45:59
4	A. Other officers I didn't know who	15:45:59
5	were in a similar position, who were not	15:46:06
6	being interviewed and expressed to my	15:46:09
7	former colleagues that they had	15:46:14
8	information they wanted to give to her,	15:46:17
9	her being Ms. Ryan.	15:46:20
10	Q. Do you know what officers	15:46:22
11	communicated with your former colleagues	15:46:24
12	to express that opinion or those opinions?	15:46:26
13	A. As I sit here today, I don't	15:46:29
14	know. I knew in 19 -- I'm sorry, I knew	15:46:31
15	some of the names in 2002.	15:46:36
16	Q. Did you take notes when you were	15:46:38
17	having these conversations with people in	15:46:40
18	the District Attorney's office who were	15:46:42
19	expressing their concern?	15:46:43
20	A. Not that I can think of.	15:46:46
21	Q. I guess we can go to April 20th	15:46:49
22	now for awhile. Fiston called you what	15:47:15
23	time in the morning?	15:47:22
24	A. As I recall, between 8:30 and	15:47:24
25	nine o'clock in the morning.	15:47:27

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1 Q. At that time, did you know	15:47:29
2 anything about the events in Central Park	15:47:32
3 on April 19th?	15:47:35
4 A. I don't believe that I did.	15:47:36
5 Q. You saw nothing on television,	15:47:38
6 you heard nothing from other sources?	15:47:41
7 A. I didn't see anything on	15:47:44
8 television the night of the 19th. I may	15:47:46
9 have heard a news, radio news report in	15:47:50
10 the morning, not about a rape, but about a	15:47:53
11 riot.	15:47:58
12 Q. Do you know why Fiston called?	15:47:59
13 A. Yes, I do.	15:48:05
14 Q. Why?	15:48:06
15 A. He called me shortly before nine	15:48:07
16 to tell me that a woman had been found	15:48:10
17 beaten, and presumably because of her	15:48:22
18 state of undress, sexually assaulted in	15:48:24
19 the ravine, and he had been called in	15:48:28
20 because there had been no sexual assault	15:48:34
21 allegation until that woman reached the	15:48:38
22 hospital.	15:48:40
23 Q. What else did he tell you?	15:48:41
24 A. He told me that the woman was as	15:48:47
25 yet unidentified, and he asked me in the	15:48:52

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1	usual course of prosecutorial business if	15:48:57
2	I would assign a prosecutor to work on the	15:49:00
3	prosecutorial events that might happen	15:49:06
4	later in the day because there were	15:49:14
5	already were suspects being questioned.	15:49:16
6	Q. Did you make any notes about	15:49:22
7	this conversation?	15:49:24
8	A. No.	15:49:25
9	Q. Did you create any memorandum	15:49:25
10	afterwards about this conversation?	15:49:29
11	A. Not that I recall.	15:49:30
12	Q. Did he tell you anything else?	15:49:31
13	A. At that time, only that we	15:49:35
14	discussed that I would get back to him	15:49:39
15	with the name and number of the Assistant	15:49:41
16	DA, and that I would tell the District	15:49:44
17	Attorney.	15:49:46
18	Q. Did you understand that Fiston	15:49:46
19	was calling you in line with the	15:49:48
20	arrangement that you and Morgenthau had	15:49:50
21	made, that whenever there was a rape in	15:49:53
22	New York City, you should be contacted?	15:49:55
23	A. Not exactly.	15:49:57
24	Q. Why do you say that?	15:49:58
25	A. Because it was not just a call	15:50:00

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1	to give me information. It was a call in	15:50:04
2	which he was asking for the help that we	15:50:07
3	provide in the instant moment.	15:50:12
4	Q. Fiston was calling you, right,	15:50:14
5	right?	15:50:17
6	A. Fiston did call me.	15:50:17
7	Q. Right?	15:50:19
8	A. Yes, sir.	15:50:21
9	Q. And the reason Fiston called you	15:50:21
10	about a rape was the arrangement you and	15:50:24
11	Morgenthau had made with Fiston that you	15:50:27
12	should be called about every rape; is that	15:50:29
13	correct?	15:50:32
14	MS. DAITZ: Objection.	15:50:32
15	A. No, sir.	15:50:32
16	Q. Why is that not correct?	15:50:33
17	MS. DAITZ: Let her answer the	15:50:35
18	question this time.	15:50:37
19	Q. Why is that not correct?	15:50:37
20	A. Because the practice that	15:50:39
21	Morgenthau and I had requested to have	15:50:41
22	with Mr. Fiston and other officers was for	15:50:45
23	the information of a case.	15:50:49
24	So if a rape had happened on	15:50:50
25	4/15 on East 30th Street and it wasn't	15:50:51

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1 solved, we'd know and have it under our	15:50:55
2 roof as well.	15:51:00
3 On this morning when he called	15:51:01
4 me, he was calling to ask me to assign a	15:51:03
5 prosecutor now for the purpose, as we ride	15:51:06
6 homicides and sex crimes as the expression	15:51:13
7 is called, to have a prosecutor to be	15:51:15
8 available to him within hours to help with	15:51:19
9 the prosecutorial steps that would be	15:51:21
10 taken at the station house.	15:51:24
11 Q. So it's your answer that the	15:51:26
12 call that Fiston made to you had no	15:51:29
13 connection with the arrangements that you	15:51:32
14 and Morgenthau had made with Fiston to	15:51:33
15 call and advise you about a rape, whether	15:51:37
16 or not a person had been arrested?	15:51:39
17 MS. DAITZ: Objection. You can	15:51:41
18 answer.	15:51:43
19 A. Those are not my words, sir. I	15:51:43
20 didn't say they had no connection. I said	15:51:46
21 this was for a much more urgent purpose.	15:51:48
22 It might also have served that use, hello,	15:51:51
23 this is the event that happened this	15:51:55
24 morning.	15:51:57
25 On top of that, there was a much	15:51:58

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1 more urgent need. He wanted a prosecutor 15:52:00
 2 assigned, that was the main purpose of the 15:52:04
 3 call. 15:52:06

4 Q. Did he tell you that it appeared 15:52:06
 5 that a homicide was involved? 15:52:08

6 A. No, he didn't tell me that. He 15:52:09
 7 told me that the victim was in very grave 15:52:12
 8 condition. 15:52:18

9 Q. The question I think I forgot to 15:52:19
 10 ask you earlier when you spoke of one 15:52:21
 11 person who had knowledge about the 15:52:23
 12 investigation from Ryan, who was that? 15:52:26

13 A. Lisa Friel. 15:52:30

14 Q. Did you know what she had 15:52:31
 15 learned from Ryan and how she knew about 15:52:36
 16 it? 15:52:38

17 A. I knew some of the things she 15:52:39
 18 learned from Ryan. 15:52:42

19 Q. What did you learn from Friel? 15:52:43

20 A. I knew from Friel the point at 15:52:45
 21 which Ryan no longer wanted Mooney 15:52:55
 22 involved in the investigation. 15:52:59

23 I knew from Friel that she, that 15:53:00
 24 on a day, I came to know from Friel that 15:53:03
 25 on a date that Ryan arranged with Mooney 15:53:08

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T2-SC-TS

4945

1 Fairstein - People - Direct

2 Q Thank you.

3 MS. LEDERER: I have nothing further.

4 CROSS EXAMINATION

5 BY MR. BURNS:

6 Q Good morning, Ms. Fairstein.

7 A Good morning, Mr. Burns.

8 Q Ms. Fairstein, when you went to the 20th Precinct,
9 had Ms. Lederer arrived before you?

10 A Yes, she had.

11 Q What time did you send Ms. Lederer to the 20th
12 Precinct?

13 MS. LEDERER: Objection.

14 THE COURT: I'll let her answer.

15 A I didn't send her there.

16 Q What time did you assign her in relation to this
17 investigation?

18 A I believe it was around 9:15 on the morning of April
19 20th.

20 Q Do you know what time she left to go to the 20th
21 Precinct?

22 A More or less, yes.

23 Q What time was that?

24 A I believe it was about eight o'clock that evening.

25 Q Now, had -- did the police department or any

TZ-SC-TS

4946

1 Fairstein - People - Cross - Burns
2 representatives of the police department ask for your
3 assistance in connection with this investigation?

4 MS. LEDERER: Objection.

5 THE COURT: I'll allow it.

6 A Yes, they did ask for our assistance.

7 Q At what point was that?

8 MS. LEDERER: Objection.

9 THE COURT: I'll allow it.

10 A They first --

11 Q No. When was the first time they asked for the
12 assistance of the District Attorney's Office in relation to
13 this investigation?

14 A When I was called at nine o'clock on the morning of
15 the 20th, I was told I would be asked later in the day for
16 assistance.

17 Q You were called by a police department
18 representative?

19 A That's right.

20 Q And was it a person who was in charge of the
21 investigation?

22 MS. LEDERER: Objection.

23 THE COURT: I'll let her answer.

24 A It was one of the supervising officers, yes.

25 Q When you arrived at eight o'clock -- I'm sorry, 8:30

T2-SC-TS

4947

1 Fairstein - People - Cross - Burns

2 --

3 A A little after 8:30.

4 Q -- Ms. Lederer was already there, is that right?

5 A Yes.

6 Q And you went inside and went up to the 2nd floor
7 detective room?

8 A Yes, I did.

9 Q Ms. Lederer was there?

10 A Yes, she was.

11 Q Had any video begun?

12 A No.

13 Q Had any questioning or talking to people, had any of
14 that begun at the time that you arrived?

15 MS. LEDERER: Objection.

16 THE COURT: If she knows, I'll let her answer.

17 A Yes, it had.

18 Q At any time prior to your arrival, did you have
19 occasion to go to Metropolitan Hospital?

20 A No, sir.

21 Q And did you have an occasion to speak to the
22 officers who had -- the officers who had discovered the body
23 of the female jogger?

24 MS. LEDERER: At what point?

25 Q Prior to your arrival at the precinct, at

T2A-SC-TS

4948

1 Fairstein - People - Cross - Burns

2 approximately 8:30 in the evening of the 20th.

3 A Prior to my arrival, no.

4 Q Incidentally, the telephone call that you received
5 about nine o'clock, that was in relation to asking the
6 District Attorney's Office for assistance in connection with
7 the investigation relative to the female jogger?

8 A In part, yes.

9 Q You're the -- were any other units of the District
10 Attorney's Office called?

11 MS. LEDERER: Objection.

12 Q To your knowledge?

13 MS. LEDERER: Objection.

14 THE COURT: I'll allow it.

15 A Yes.

16 Q Well, you're the Head of the Sex Crimes Unit, right?

17 A Yes.

18 Q Was there any other sex crime that was being
19 investigated, in connection with Central Park?

20 MS. LEDERER: Objection.

21 THE COURT: Sustained.

22 Q Your participation, as the Chief of the Sex Crimes
23 Unit, when you were called, wasn't that in connection with the
24 investigation relative to the, to the female jogger?

25 A Yes.